

**COSTELLO & MAINS, P.C.**

By: Kevin M. Costello

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*Attorneys for Plaintiffs*

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DAVID ROGERS AND JAMES  
VAN DANIKER, individually and  
on behalf of themselves and all others  
similarly situated,

Plaintiffs,

vs.

OCEAN CABLE GROUP INC.,  
AND JOHN DOES 1-5 and 6-10,

Defendants.

: UNITED STATES DISTRICT COURT

: DISTRICT OF NEW JERSEY

:

: Civil Action

:

: **Electronically filed**

:

: Civil Action No. 1:10-CV-04198

:

:

: **NOTICE OF MOTION TO FILE SECOND**

: **AMENDED COMPLAINT PURSUANT TO**

: **FED. R. CIV. P. 15(a)**

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To: James P. Grinley, Esq.  
Miller, Gallagher and Grinley  
26 S. Pennsylvania Avenue, Suite 201  
Atlantic City, NJ 08401

**PLEASE TAKE NOTICE** that on the 22<sup>nd</sup> day of February, 2011, at a time to be set by the Court, at the United States District Court for the District of New Jersey, Mitchell H. Cohen Building and United States Courthouse, 4<sup>th</sup> & Cooper Streets, Camden, New Jersey, Plaintiffs David Rogers and James Van Daniker, by and through their attorneys, Costello & Mains, P.C., will move the Court, pursuant to Fed. R. Civ. P. 15(a), for an Order granting leave to file a Second Amended Complaint in the above-captioned action.

**PLEASE TAKE FURTHER NOTICE** that Plaintiffs shall rely upon the accompanying Certification of Counsel and Statement in Lieu of Brief. Oral argument is waived.

**COSTELLO & MAINS, P.C.**

By:       /s Deborah L. Mains        
Deborah L. Mains

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Dated: January 21, 2011